

REMARKS

The Examiner has rejected Claims 1, 3-16 and 18-42 under 35 U.S.C. 102(b) as being anticipated by "Information Gathering in the World Wide Web: The W3QL Query Language and the W3QS System" by David Konopnicki and Oded Shmueli. Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove to the independent Claims 1, 16, 31, 33, and 42. Specifically, applicant has amended such claims to at least substantially include the subject matter of former dependent Claim 7.

With respect to the independent Claim 41, the Examiner has failed to address all of the limitations recited in such claim. For example, in Claim 41, applicant claims "storing in memory a transaction pattern reflecting a transaction, wherein the transaction pattern includes...information submitted by a user, in forms presented in an e-commerce flow; an internal process whereby the submitted information is sent to servers and databases of an e-commerce site; navigation of the user within the e-commerce process...and the results returned by the e-commerce site once the submitted information has been processed" (emphasis added).

Specifically, the Examiner has failed to even argue that the Konopnicki reference teaches above claim limitations, let alone show where in the Konopnicki reference such limitations are disclosed. Accordingly, a notice of allowance or a proper prior art showing of all of applicant's claim limitations, in combination with the remaining claim elements, is respectfully requested.

Additionally, with respect to the independent Claim 42, the Examiner has also failed to address all of the limitations recited in such claim. For example, in Claim 42, applicant claims "recording actions taken by the system which enable a user to access data...[and] recording actions enabled by the data to retrieve content" (emphasis added). Additionally, in Claim 42, applicant claims "storing the transaction pattern in memory, including...storing records relating to an interface presented to a user;...storing

parameters required to complete the transaction; storing records relating to the navigation of a user during the transaction;...[and] storing information selected by a user” (emphasis added). Further, in Claim 42 applicant claims “executing the transaction pattern to automatically carry out the transaction upon receiving the user request for the transaction, including...retrieving the transaction pattern using at least one of an automated agent and a programmable agent;...submitting required parameters during the transaction;...[and] retrieving content” (emphasis added).

In particular, the Examiner has failed to argue that the Konopnicki reference teaches above claim limitations, and has especially not show where in the Konopnicki reference such limitations are disclosed. Accordingly, a notice of allowance or a proper prior art showing of all of applicant’s claim limitations, in combination with the remaining claim elements, is respectfully requested.

The Examiner is reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the identical invention must be shown in as complete detail as contained in the claim. *Richardson v. Suzuki Motor Co.* 868 F.2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

This criterion has simply not been met by the above reference, as noted above. Nevertheless, despite such paramount deficiencies and in the spirit of expediting the prosecution of the present application, applicant has substantially incorporated the subject matter of Claim 7 into independent Claims 1, 16, 31, 33 and 42.

With respect to the subject matter of former Claim 7 (now at least substantially incorporated into independent Claims 1, 16, 31, 33 and 42), the Examiner has failed to specifically address applicant’s claimed technique “wherein the storage of the transaction pattern includes storage of records of navigation of the user during the transaction” (see

this or similar, but not necessarily identical language in the foregoing independent claims).

Furthermore, applicant respectfully asserts that pages 372, 374-376, 392, 396, and 400-401 from the Konopiucki reference cited in the rejection of some of the other limitations of applicant's claims fail to teach or even suggest a technique "wherein the storage of the transaction pattern includes storage of records of navigation of the user during the transaction" (emphasis added), as claimed by applicant.

Again, a notice of allowance or a proper prior art showing of all of applicant's claim limitations, in combination with the remaining claim elements, is respectfully requested.

Applicant further notes that the rejection is also deficient with respect to the dependent claims. For example, with respect to Claim 3 et al., the Examiner has failed to specifically address applicant's claimed technique "wherein the transaction pattern further includes a record of the actions taken by the system which enable access of the user to data, and actions enabled by the data to retrieve content." Additionally, after further inspection, applicant respectfully asserts that the excerpts cited by the Examiner from the Konopnicki to reject some of the other limitations of applicant's claims fail to teach that "the transaction pattern further includes a record of the actions taken by the system which enable access of the user to data, and actions enabled by the data to retrieve content" (emphasis added), as claimed by applicant.

Additionally, with respect to Claim 4 et al., the Examiner has again failed to specifically address applicant's claimed technique "wherein the storage of the transaction pattern includes the storage of records relating to an interface presented to the user." Even so, after further inspection, applicant respectfully asserts that the excerpts cited by the Examiner from the Konopnicki to reject some of the other limitations of applicant's claims fail to teach that "the storage of the transaction pattern includes the storage of

records relating to an interface presented to the user" (emphasis added), as claimed by applicant.

Further, with respect to Claims 15 et al., the Examiner has relied on pages 372, 374-376, 392, and 400-401 from the Konopnicki reference to make a prior art showing of applicant's claimed technique "wherein the execution of the transaction pattern includes recognizing a state of a remote application."

Applicant respectfully asserts that the excerpts relied upon by the Examiner merely teach that "[a] query that is submitted for execution is first parsed" and "[i]f there are syntax errors, these are reported and execution is not continued," but that "[o]therwise, the system starts executing the query" (see Page 401). Furthermore, on Page 401, Konopnicki teaches that "[t]his execution is done in background mode" and "[t]he user can engage in any other activity, including just closing the browser, which has no effect on the execution of queries." However, the excerpts fail to teach or even suggest that "the execution of the transaction pattern includes recognizing a state of a remote application" (emphasis added), as claimed by applicant.

Again, since the foregoing anticipation criterion has simply not been met by the above reference, as noted above, a notice of allowance or specific prior art showing of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

Still yet, applicant brings to the Examiner's attention the subject matter of new Claims 43-44 below, which are added for full consideration:

"wherein the transaction pattern further includes information submitted by the user, in each form and in each step of a login and account access process" (see Claim 43); and

“wherein the transaction pattern further includes an internal process whereby submitted information is sent to servers and databases of a portfolio account site of the user” (see Claim 44).

Again, a notice of allowance or a proper prior art showing of all of applicant’s claim limitations, in combination with the remaining claim elements, is respectfully requested.

Thus, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NV1DP371).

Respectfully submitted,
Zilka-Kotab, PC

/KEVINZILKA/

Kevin J. Zilka
Registration No. 41,429

P.O. Box 721120
San Jose, CA 95172-1120
408-505-5100